

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
(Northern Division)

CYNTHIA D. PAJAK,

Plaintiff,

v.

UNDER ARMOUR, INC., *et al.*,

Defendants.

No. _____

**DEFENDANTS UNDER ARMOUR, INC. AND UNDER ARMOUR RETAIL, INC.'S
AND NON-PARTY NICOLE FINCK'S
MOTION TO QUASH SUBPOENA ON MS. FINCK AND FOR PROTECTIVE ORDER**

Defendants Under Armour, Inc. and Under Armour Retail, Inc. ("UA"), and Non-Party Nicole Finck, through their undersigned counsel, move pursuant to Rules 26 and 45 of the Federal Rules of Civil Procedure for an Order quashing and/or limiting the subpoenas for documents and for deposition served on Ms. Finck, a UA employee and member of UA's legal team, by Plaintiff Cynthia D. Pajak in *Pajak v. Under Armour, Inc., et al.*, No. 1:19-CV-160 (N.D. W.Va.). The reasoning and authorities in support of UA's Motion are set forth in the accompanying memorandum, which is incorporated herein.

Respectfully submitted,

Dated: May 7, 2021

/s/

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 7th day of May, 2021, copies of the foregoing document were served, by agreement of counsel, via electronic mail to counsel of record in No. 1:19-CV-160 (N.D. W.Va.):

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LIST OF EXHIBITS

Ex.	ECF Suffix	Description
	1.	Memorandum of Law
	2.	Local Rule 104.7 Certificate
	3.	Proposed Order
A.	4.	N. Finck Objections to Subpoena w/Exs. 1-5 A.1. Subpoena <i>Duces Tecum</i> A.2. Plaintiff's Second Supp. Rule 26(a)(2) Disclosures A.3. G. Hurney email (Oct. 8, 2020) A.4. Boucher Depo. Excerpts (Nov. 20, 2020) A.5. Hearing Excerpts (Mar. 4, 2021)
B.	5.	Notice of Videotaped Deposition of Niki Finck
C.	6.	Pajak Deposition Excerpts
D.	7.	R.L. Deposition Excerpts
E.	8.	M.D. Deposition Excerpts
F.	9.	J.C. Declaration
G.	10.	M.M. Deposition Excerpts
H.	11.	UA 30(b)(6) Deposition Excerpts
I.	12.	Plaintiff's Rule 26(a)(1) Initial Fact Witness Disclosures Regarding Plaintiff's Spoliation Claims
J.	13.	L. Rector email (Apr. 28, 2021 2:35 PM) forwarding email chain with N. Auerbach (Apr. 13-28, 2021), attaching ElevateNext email (Apr. 28, 2021 2:24 PM)
K.	14.	M. Lantz email (Apr. 28, 2021 3:42 PM), attaching Initial Disclosures
L.	15.	A. Williams ESI correspondence to UA's counsel (Dec. 17, 2019)
M.	16.	Plaintiff's Motion to Amend, N.D. W. Va. ECF Nos. 267 & 268
N.	17.	Brian Boucher's Responses to UA's Requests for Admission
O.	18.	J. Harrison email (Apr. 6, 2021)
P.	19.	Email chain "Pajak/Subpoenas - Time Sensitive" (Apr. 28, 2021)
Q.	20.	Email chain "RE: Pajak/Subpoenas - Time Sensitive" (Apr. 29, 2021)
R.	21.	L. Rector email "Order" (Apr. 30, 2021), attaching N.D. W. Va. ECF No. 251
S.	22.	A. Askew email "RE: Order" (May 3, 2021)
T.	23.	T. Cooper email "Pajak v. UA/Boucher - Finck Subpoena" (May 4, 2021)